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Paper No. 11

GEORGE S. BLASIAK  
WALL MARJAMA & BILINSKI  
101 SOUTH SALINA STREET, SUITE 400  
SYRACUSE, NY 13202

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DEC 23 2002

OFFICE OF PETITIONS

In re Application of  
Steven R. Slawson et al  
Application No. 09/783,224  
Filed: February 14, 2001  
Attorney Docket No. 281-345

: DECISION DISMISSING PETITION  
: UNDER 37 CFR 1.137(f)

This is a decision on the petition, filed November 27, 2002, to revive the instant nonprovisional application under the unintentional provisions of 37 CFR 1.137(f).

The petition is DISMISSED.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(f)."

Petitioner states that, subsequent to the filing of the instant application and the concurrently filed nonpublication request under 35 U.S.C. § 122(b), PCT Application PCT/US02/03956 claiming priority to the present U.S. application was filed; however, notice of such foreign filing was not provided to the U.S. Patent and Trademark Office.

The instant petition fails to provide a notice rescinding the nonpublication request. Accordingly, before revival pursuant to the provisions of 37 CFR 1.137(f) can be effected, petitioner must submit a request to rescind the previous nonpublication request. For petitioner's convenience, a blank Request to Rescind Previous Nonpublication Request accompanies this decision on petition.

In order to expedite revival of this application, petitioner may wish to consider submitting the items required by this decision on petition in a renewed petition

under 37 CFR 1.137(f) by facsimile transmission to the telephone number indicated below and to the attention of the undersigned.

Further correspondence with respect to this matter should be addressed as follows:

By mail:           U.S. Patent and Trademark Office  
                         P.O. Box 2327  
                         Mail Stop DAC  
                         Arlington, VA 22202

OR

Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

By FAX:           (703) 308-6916  
                         Attn: Office of Petitions

By hand:           Crystal Plaza Four, Suite 3C23  
                         2201 South Clark Place  
                         Arlington, VA 22202

Any questions concerning this matter may be directed to the undersigned at (703) 305-8680.

*Brian Dean*  
for  
Frances Hicks  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

ATTACHMENT: Request to Rescind Previous Nonpublication Request Form